

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANTHONY ROBINSON,

Defendant.

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No. 03-CR-30027-WDS

ORDER

Before the Court is defendant's motion for retroactive application of the Advisory Sentencing Guidelines (Doc. 87). The Office of the Federal Public Defender appeared on behalf of the defendant (See Doc. 86) but now seeks to withdraw (Doc. 88) on the grounds that the defendant has previously been placed on Supervised Release on his original sentence. The defendant is currently serving a term of twenty-seven (27) months on the revocation of that supervised release. His term of supervised release was revoked on December 10, 2010 (See Judgment at Doc. 84).

Upon review of the record, the Court **GRANTS** the motion to withdraw (Doc. 88).

Further, the Court **FINDS** that the defendant is not entitled to the relief he seeks as he has been released from imprisonment on his original sentence, and the amendments to the Guidelines do not apply to a revocation of his supervised release. Accordingly, the defendant's motion for retroactive application of the Advisory Sentencing Guidelines (Doc. 87) is **DENIED**.

IT IS SO ORDERED.

DATE: 7 December, 2011

**s/ WILLIAM D. STIEHL
DISTRICT JUDGE**